

# MEMO ENDORSED

November 16, 2024

**BY EFC**

Hon. Judge Valerie E. Capron  
United States District Court Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/18/2024

**Re: United States v. William James Washington  
Case No. 21 Cr. 00603 (VEC), Reply Motion For New Trial**

I respectfully move this Court to compel the government to provide Bates range numbers or other specific identifiers for all versions of the "NBA Contact Log" that are relevant to this case. The government's representations regarding these materials remain unclear, creating significant barriers to verifying the accuracy of GX 505, a critical trial exhibit derived from these logs.

The government disclosed three iterations of the "NBA Contact Log," each of which is critical to understanding the evidence used at trial. These versions are as follows:

1. The full NBA Contact Log, purportedly disclosed in October 2023 under a "Highly Confidential" designation, which the government claims contains over 4,000 call entries.
2. A filtered subset of the NBA Contact Log, labeled USAO\_00634224, which was disclosed in May 2024 and represented as the source file for GX 505.
3. GX 505, the version of the log introduced at trial, which the government has admitted is a filtered subset of USAO\_00634224.

Despite these disclosures, the government has not provided Bates range numbers for any of these versions, nor has it explained the process by which GX 505 was derived. Without this information, I cannot meaningfully challenge GX 505's accuracy, identify discrepancies, or verify whether material information from the NBA Contact Log was excluded.

The government's failure to provide this information raises serious concerns under *Brady v. Maryland*, 373 U.S. 83 (1963), and Rule 16 of the Federal Rules of Criminal Procedure. Both require that evidence be disclosed in a timely, accessible, and identifiable manner. The lack of Bates range numbers for the NBA Contact Log and its subsets has prevented meaningful review and cross-examination, undermining my ability to ensure the fairness of these proceedings.

I respectfully request that the Court order the government to do the following:

1. Confirm the Bates range numbers for the full NBA Contact Log purportedly disclosed in October 2023.

2. Confirm the Bates range numbers for USAO\_00634224, the filtered subset disclosed in May 2024.
3. Identify the Bates range numbers or entries that were used to create GX 505, the trial exhibit.
4. Provide a clear explanation of how GX 505 and USAO\_00634224 were derived from the full NBA Contact Log, including any criteria used for filtering or exclusion.

Alternatively, I respectfully request that this Court hold an evidentiary hearing to address these issues and to determine whether the government has complied with its discovery obligations.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ William James Washington  
**William James Washington**  
Defendant, Pro Se

CC: United States Attorney's Office, via ECF

Application DENIED. The Court has already considered and rejected Dr. Washington's challenges to GX 505, most recently in its opinion on the motion for a judgment of acquittal and for a new trial. *See* Dkt. 1584 at 7-10. There are no outstanding material questions about GX 505 or USAO\_00634224.

SO ORDERED.



11/18/2024

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE